

# REGISTER

*South Dakota Legislative Research Council*



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A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

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**NOTICES OF PROPOSED RULES:** (The date in parentheses is the date the rules were filed in the Legislative Research Council)

***Department of Commerce and Regulation:***

***Division of Insurance:*** (October 21, 2002) intends to adopt rule changes that provide a minimum criteria for credit unemployment insurance with regard to benefits and eligibility, provide uniformity in records maintained by producers, provide a means for policyholders to request 1035 exchange if the required form is not provided by the insurer within a specified timeframe, and to clarify which guidelines financial examiners should follow. The general authority for these rules, as cited by the department, is SDCL 58-3-11, 58-3-15, 58-3-26, 58-15-82, 58-19-34, and 58-30-91.

A public hearing will be held in the First Floor Conference Room of the Commerce Building, 118 W. Capitol Avenue, Pierre, South Dakota, on October 29, 2002, at 10:00 a.m. Copies of the proposed rules may be obtained from and written comments sent to the South Dakota Division of Insurance, 118 W. Capitol Avenue, Pierre, South Dakota 57701-2000. Copies of the proposed rules are also available on the Division's web-site located at:

[www.state.sd.us/insurance](http://www.state.sd.us/insurance). Written comments must be received by November 7, 2002, to be considered. For access assistance, handicapped persons may call the Division of Insurance at (605) 773-3563 before the hearing.

***Department of Environment and Natural Resources: Board of Water and Natural Resources:***

(October 24, 2002) intends to adopt rules that will establish a new priority ranking

system for projects seeking assistance from the Clean Water State Revolving Fund program. The general authority for these rules, as cited by the department, is SDCL 46A-1-60.3.

A public hearing will be held in the Matthew Training Center, Foss Building, 523 East Capitol Avenue, Pierre, South Dakota, on November 14, 2002, at 1:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to Board of Water and Natural Resources, Department of Environment and Natural Resources, 523 East Capitol Avenue, Pierre, South Dakota 57501. Copies of the proposed rules are also available on the Division's web-site located at: [www.state.sd.us/denr/What'sNew.htm](http://www.state.sd.us/denr/What'sNew.htm). Material sent by mail must be received by 5:00 p.m. on November 13, 2002, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-4216 at least 48 hours before the hearing.

**FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)**

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

**REMINDER OF HEARINGS SCHEDULED**

10-29-2002	Commerce and Regulation: Division of Insurance	Update rules to provide conformity to the NAIC standard for credit unemployment insurance, provide uniformity in records maintained by producers, provide uniform forms for 1035 exchanges, clarify which guidelines financial examiners should follow; 29 SDR 61.
11-6-2002	Health	Update the list of Category I and Category II reportable diseases; 29 SDR 51.
11-7-2002	Game, Fish and Parks	Modify the spring open house park entrance license exemption, modify and create "no wake" and "no boating" zones in Bon Homme, Charles Mix, Deuel, Fall River, and Stanley counties, amend and create camping permit fees at Hartford Beach, Big Sioux, Pease Creek Horse Camp, Pierson Ranch and Chief White Crane, amend general fishing provisions, fishing season at "Dredge Hole", amend fish limits for largemouth and smallmouth bass, modify fishery management plans for harvest and/or protection of bass, walleye, trout, bluegill, and sunfish, amend hoop nets and setlines rules in Lake Oahe, establish new rules concerning the licensing and three types of private fish hatcheries, amend rules concerning importation of fish and fish reproductive products, and adopt new rules concerning taxidermists; 29 SDR 57.
11-14-2002	Environment and Natural Resources: Board of Water and Natural Resources	Establish a new priority ranking system for projects seeking assistance from the Clean Water State Revolving Fund program; 29 SDR 61.

11-15-2002	Commerce and Regulation: Board of Technical Professions	Change deadlines, update materials of reference, define surveying degrees, allow design competitions, discontinue review of exams, add procedures for exam of candidates with disabilities, increase fees, add to rules of professional conduct, clarify construction administration services, add section on fire protection shop drawings, add performing services on exempt projects or exempt entities, and review and clarify disciplinary proceedings; 29 SDR 57.
11-19-2002	Secretary of State: Board of Finance	Increase the per diem rates for lodging for state employees traveling within the State of South Dakota; 29 SDR 51.

### ***Rules Review Committee Meetings***

The next meeting of the Interim Rules Review Committee will be held Wednesday, November 20 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: January 6, 2003.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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